

Upon consideration of the parties' joint motion for protective order (Doc. 67), and for good cause shown, the Court GRANTS the motion and enters the following protective order:

1. Plaintiff Angela Williams and Plaintiffs’ legal counsel will be allowed to view two video recordings of the December 23, 2017 incident upon which the allegations in Plaintiffs’ Second Amended Complaint are based (the “video recordings”) in conjunction with voluntary mediation pursuant to the Court’s Order of April 13, 2021 (Doc. 52) and M.D. Ala. LR 16.1. The viewing will be at Hill, Hill, Carter, Franco, Cole & Black, P.C. Plaintiff Angela Williams and Plaintiffs’ legal counsel will not copy or duplicate the video recordings. Further, Plaintiff Angela Williams and Plaintiffs’ legal counsel will not publicize, make known to the public and/or press, nor call any press conferences or issue any press releases, about the contents of the video recordings.

2. Viewing of the video recordings will be allowed exclusively as part of the mediation process under M.D. Ala. LR 16.1 and FRE 408, and as such any information gleaned from viewing the video recordings shall be kept strictly confidential except that 1) the video can be discussed with the mediator and 2) can be described in court filings; provided these filings are under seal.

3. Plaintiffs, who are also bound by this Protective Order in all respects, and Plaintiffs' legal counsel shall not divulge the contents of the video recordings nor discuss or otherwise make known to any other person or member of the media, whether via social media, any online forum, any publication, news agency, press organization, the general public, or in any other way that will or may lead to dissemination of the video recordings or their contents, unless and until the Plaintiffs' attorneys and Defendants' attorneys otherwise mutually agree in writing in a jointly signed document as to the status of said recordings or the Court issues a final decision regarding discoverability and/or dissemination to the press or general public.

4. Plaintiffs agree in the event mediation is unsuccessful the video recordings (including screen shots) may be filed under seal with the Court in support of any motion to dismiss, and shall remain subject to the confidentiality, non-disclosure, non-dissemination and other applicable provisions hereunder until further Order of the Court. Nothing in this Agreement shall prevent Plaintiffs' attorneys from asserting the court should not consider the video recordings on the motion to dismiss; nor if the case reaches the discovery stage from asserting the video recordings should not remain under seal.

DONE this 3rd day of September, 2021.

A handwritten signature in black ink, appearing to read "Stephen M. Doyle", written over a horizontal line.

Stephen M. Doyle
CHIEF U.S. MAGISTRATE JUDGE